

United States Senate

WASHINGTON, DC 20510

409

April 25, 2014

The Honorable Thomas Wheeler
Chairman
Federal Communications Commission
442 12th Street, NW
Washington, DC 20554

Dear Chairman Wheeler:

We write regarding a recent notice of dismissal for Hudson County, New Jersey concerning a waiver request from the Federal Communications Commission (FCC) to increase the wattage on their Traveler Information Station (TIS). We ask that the Commission thoroughly review the matter and consider the concerns of our constituents.

As you know, Hudson County is densely populated and contains one of the most critical and heavily travelled transportation networks in America. To support this network and its population, Hudson County has been working to increase the wattage of the local TIS radio station from 10 to 100 watts. As many discovered during Superstorm Sandy, residents and travelers look to the local TIS for information during times of emergency and the TIS is particularly important when disruptions to the electrical grid can knock out many of the traditional mediums for news and information.

We are concerned that without the ability to reach a wider audience, the TIS station in Hudson County may be unable to provide the critical service so many residents and travelers would look to depend upon during a time of emergency. We therefore hope that the FCC can work with Hudson County to find a solution that allows the TIS station to be an accessible and beneficial resource for residents and travelers in northern New Jersey. Thank you for your consideration of this matter and I look forward to your response.

Sincerely,



ROBERT MENENDEZ
United States Senator

Sincerely,



CORY A. BOOKER
United States Senator



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

April 29, 2014

The Honorable Robert Menendez
United States Senate
528 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Menendez:

Thank you for your letter concerning the Hudson County, New Jersey waiver request for their Traveler Information Station (TIS). I understand and share your concern that during times of disaster residents and travelers need access to emergency information.

In general TIS provides a means of communicating certain kinds of information to travelers over low power radio transmitters licensed to local government entities, specifically information designed to reduce traffic congestion and to transmit roads conditions, travel restrictions, and weather forecasts to motorists. The underlying purpose of the rules governing the power level and other restrictions applicable to TIS stations is to avoid causing interference to AM broadcast stations.

In this specific instance Hudson County requested a waiver of FCC rules to increase the power output of its TIS transmitter to 100 watts. On February 18, 2014, after extensive review and analysis of the record and information submitted by Hudson County, Commission staff denied the waiver request and dismissed the application (a copy of the *Order* is attached). In the *Order*, staff determined that Hudson County failed to show that increasing the TIS station's power by a factor of 10 over the regulatory limit would not cause harmful interference to a planned AM broadcast station in Rockland County, New York and listeners in the affected areas. Staff also found that Hudson County had reasonable alternatives to its proposed "high power" alternative. For instance, Commission rules would not preclude Hudson County from establishing additional transmitters that simulcast identical information over a larger geographic area, so long as the content is directly relevant to travelers in the immediate vicinity of each transmitter.

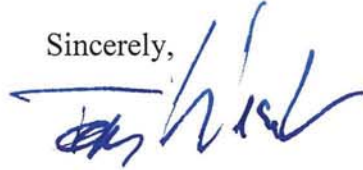
Hudson County also requested a Special Temporary Authority (STA) to operate its TIS station at greater than 10 watts of power and up to 1100 watts of power in times of declared emergency. Hudson County requests that this STA be granted in advance in anticipation of some future event. However, STAs are germane to circumstances requiring immediate or temporary use of a station. In the event of an actual emergency, Hudson County may then request an STA to operate its station in excess of 10 watts.

Hudson County filed a Petition for Reconsideration of the staff *Order* on March 20, 2014. The staff is reviewing Hudson County's petition carefully.

Page 2— The Honorable Robert Menendez

Thank you again for bringing these matters to my attention. I look forward to working with you in the future to promote efforts that ensure that people have access to important information during an emergency.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tom Wheeler", with a horizontal line drawn through the middle of the signature.

Tom Wheeler



OFFICE OF
THE CHAIRMAN

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

April 29, 2014

The Honorable Cory Booker
United States Senate
141 Hart Senate Office Building
Washington, D.C. 20510

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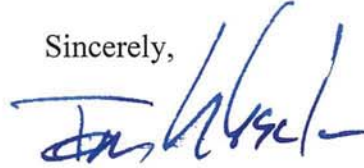
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Tom Wheeler